



pennsylvania

OFFICE OF VICTIM ADVOCATE

Giving Crime Victims a Voice

Courage • Strength • Resilience

FOR IMMEDIATE RELEASE

December 23, 2021

Marsy's Law PA Supreme Court Decision

Harrisburg, PA – Those of us who identify as members of the victims' rights community received another disappointing outcome this week when the [Pennsylvania Supreme Court ruled that Marsy's Law, as presented, failed to comply](#) with the "separate vote" requirement of the Pennsylvania Constitution. This feels similar to the set-back that occurred with statute of limitations reform earlier this year. While the facts and the reasonings are not synonymous, the feelings are the same. This stings like something else has been deemed more important than the rights of victims of crime.

The Pennsylvania Office of Victim Advocate (OVA) is the state agency with the duty and authority to advocate for the individual and collective rights of crime victims. Rights that are currently enumerated in Pennsylvania statutes and look very similar to what is requested by Marsy's Law. Here are the current rights afforded to victims by law, most of which are provided in the [Pennsylvania Crime Victims Act \(18 P.S. § 11.101\)](#):

You have the right to be told about...

- basic services available to you in your county
- court events, including information on bail, escape/release of offender, preliminary hearings, trials, guilty pleas, sentencing etc.
- the details of the final disposition of a case

You have the right to receive...

- notice of the arrest of the offender
- information about restitution and assistance with compensation
- accompaniment to all criminal proceedings by a family member, a victim advocate or a support person

You have the right to provide input into...

- the sentencing decision and to receive help in preparing a verbal and/or written victim impact statement
- post-sentencing decisions, including parole consideration, pardons and clemency, medical or compassionate release

What do you do with a right you can't enforce?

This is a question OVA is frequently asked by crime victims forced into our complex legal system. This question needs an answer. The status quo must change. Marsy's Law was never

intended to alter or diminish the rights of the accused, but to elevate the rights of victims and provide a method for ensuring that victims' rights are upheld.

The Supreme Court ruling is a bitter pill to swallow; however, we are not the first victimized group to climb up the rough side of the mountain, and we will fight on! OVA is committed to continued collaboration with our partners, state agencies, and law makers to bring about meaningful change. The years of disappointment will not defeat us, but fuel our resolve to center the voices of survivors and demand victim centered processes and procedures that uphold principles of fairness and equality. If you have, or are currently experiencing a victims' rights violation, please [submit this form to OVA](#) and a Victim Assistance Coordinator will contact you.

This discussion and its scope may deeply impact victims/survivors. There are confidential, free resources available through [local victim service organizations](#).

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MEDIA CONTACT:

Ashley N. Walkowiak
anwalkowiak@pa.gov 717-773-2399

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